

IN THE UNITED STATES DISTRICT COURT  
FOR THE STATE OF NEW MEXICO **FILED**  
UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*  
State Engineer

Plaintiff,

v.

RAMON ARAGON, *et al.*,

Defendants.

01 FEB 28 PM 3:11  
*Robert M. Marshall*

69cv07941 JEC-ACE ALBUQUERQUE

RIO CHAMA STREAM SYSTEM  
Section 3: Rio Nutrias, Rio Cebolla  
Canjilon Creek

**NEW MEXICO'S MOTION TO JOIN  
ADDITIONAL PARTIES DEFENDANT**

COMES NOW plaintiff State of New Mexico, *ex rel.* State Engineer ("State") and respectfully requests the Court to join as additional parties defendant the persons or entities named below and order them to answer the State's Complaint in this action as required in any civil action in the United States District Court or suffer default judgment against them. In support of this motion, the State asserts:

1. The persons listed in Exhibit A attached hereto are diverting and using or may claim the right to divert and use surface or underground waters within the Rio Chama Basin. These waters belong to the public and are subject to appropriation in accordance with the laws of the state. This Court has exclusive jurisdiction of adjudicate all claims to the right to divert, store, or use public waters in the Rio Chama Basin.

2. The persons or entities listed in Exhibit A are in Section 3 of the Rio Chama Basin, and may be diverting and using water associated with the subfile numbers listed, or may otherwise be using and diverting surface or underground waters within Section 3 of the Rio Chama Basin.

DATED: February 28, 2001

Respectfully submitted,

Ed Newville

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**CERTIFICATE OF SERVICE**

I certify that a copy of New Mexico's Motion to Join Additional Parties Defendant was mailed to the following persons on February 28, 2001.

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Las Vegas, NM 87701

**EXHIBIT A**

<u>DEFENDANT</u>	<u>SUBFILE NO.</u>	<u>ADDRESS</u>
James S. And Parrie V. Shortle Rev. Trust	CHCB-02-0013	4010 SR 150, Chelan WA 98816
Jedburgh Ltd.	CHCB-07-0001	544 B. Alum Creek Rd., Smithville TX 78957
Leroy A. Martinez	CHCB-07-0002	P.O. Box 218, Canjilon NM 87515
Donna M. Martinez	CHCB-07-0002	P.O. Box 218, Canjilon NM 87515
John A. Serrano	CHCJ-02-0005	15927 Jade St., Yelm WA 98597
Luis S. Torres	CHCJ-03-0059B	P.O. Box 901, Santa Cruz NM 87567
Anne T. Cain	CHCJ-03-0059B	P.O. Box 901, Santa Cruz NM 87567
Elfa Leyba	CHCJ-04-0003A	General Delivery, Canjilon NM 87515
Rebecca Martinez	CHCJ-04-0003A	General Delivery, Canjilon NM 87515
Alfredo Montoya Jr.	CHCJ-04-0003B	529 Camino Solano, Santa Fe NM 87501
Louise O. Montoya	CHCJ-04-0003B	529 Camino Solano, Santa Fe NM 87501
Esmeraldo Martinez	CHCJ-04-0011	P.O. Box 475, Canjilon NM 87515
Allen Silverstein	CHCJ-04-0020	736 ½ Montez, Santa Fe NM 87501
Juanito E. Maes, Jr.	CHCJ-04-0040	P.O. Box 543, Canjilon NM 87515
Joseph M. Maes	CHCJ-04-0040	P.O. Box 543, Canjilon NM 87515